REMARKS

Applicants respectfully request consideration in view of remarks set forth fully below. Claims 1-22 were previously pending in the present application. Of the above, Claims 1-8 have been withdrawn from consideration. Within the Office Action, Claims 9-22 were rejected.

Claim Rejections under 35 U.S.C. § 102(e)

Within the Office Action, Claims 9-10, 12-14, and 16-21 were rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 5,915,001 to Uppaluru *et al.* (hereinafter referred to as "Uppaluru").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). The Applicants respectfully traverse this rejection because Uppaluru does not teach or suggest all of the claim limitations of Claims 9-10, 12-24, and 16-21.

Indeed, within the Office Action, the Examiner admits that Uppaluru does not teach "an advertising subsystem configured to selectively provide the user interface with advertisements targeted to particular users based on information about the user." The Applicants agree.

For at least this reason, Claims 9-10, 12-13, and 16-21 are not anticipated by Uppaluru.

Claim Rejections under 35 U.S.C. § 103 – Uppaluru in view of Official Notice

Also within the Office Action, Claims 15 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Uppaluru in view of Official Notice. To establish a *prima facie* case of obviousness of a claimed invention, all the claimed features must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). The Applicants respectfully traverse this rejection, because Uppaluru does not teach or suggest "an advertising subsystem configured to selectively provide the user interface with advertisements targeted to particular users based on information about the user" and the limitation is not common knowledge.

Within the Office Action, the Examiner takes Official Notice that "an advertising subsystem configured to selectively provide the user interface with advertisements targeted to particular users based on information about the user" would have been obvious to one having ordinary skill in the art. The Applicants respectfully disagree and traverse each of the Examiner's usages of Official Notice.

Section 2144.03 of MPEP states that "Official notice unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known."

The Applicants are not aware of any teachings, prior to the effective filing date the instant patent application, that involve a voice-controlled transaction service adapted to process transactions over the Internet that includes an advertising subsystem configured to selectively provide the user interface with advertisements targeted to particular users based on information about the user, whereby transactions are executed without the user pressing a button, clicking a mouse, or any other manual input to a computing device. Therefore, the limitations are certainly not capable of instant and unquestionable demonstration as being well-known. If the Examiner is aware of any reference that does involve these limitations, the Applicants respectfully requests that the Examiner make the references part of the record.

For at least these reasons, Applicants' Claims are not obvious in light of Uppaluru in view of Official Notice.

Claim Rejections under 35 U.S.C. § 103 – Uppaluru in view of Goodman

Also within the Office Action, Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Uppaluru in view of United States Patent No. 5,999,929 to Goodman (hereinafter referred to as "Goodman"). The Applicants respectfully traverse this rejection because neither Uppaluru nor Goodman teach or suggest "an advertising subsystem configured to selectively provide the user interface with advertisements targeted to particular users based on information about the user."

As explained above, the Examiner admits that Uppaluru does not teach the above-mentioned limitation and the Applicants agree. Likewise, Goodman does not teach or suggest the claim limitation, nor does the Examiner suggest that it does.

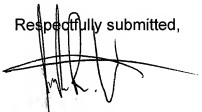
For at least this reason, Claim 11 is not rendered obvious in light of a hypothetical combination of Uppaluru and Goodman.

Conclusion

As set forth above, all of the rejections have been overcome. Therefore Claims 9-13 and 16-22 are in condition for allowance and an early issuance of a Notice of Allowance would be appreciated.

Should the Examiner have any questions regarding the application, he is respectfully urged to contact Applicant's attorney at (650) 474-8400.

Respectfully submitted,



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